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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
 FOR THE  
 NORTHERN MARIANA ISLANDS

KENNETH COUTURE,	)	CV NO. 05-0024
	)	
Plaintiff,	)	
	)	PLAINTIFF'S EX PARTE MOTION FOR
v.	)	EXTENSION OF TIME TO FILE MOTION
	)	FOR SUMMARY JUDGMENT
AMERICAN OVERSEAS MARINE)	)	
CORPORATION and GENERAL DYNAMICS)	)	
CORPORATION,	)	Time: N/A
	)	Date: N/A
Defendants.	)	Judge: Munson

Comes now Plaintiff Kenneth Couture, by and through his attorney of record, Bruce Berline, and, pursuant to Local Rule 7.1.h.3(b) and LcrR 12.1, moves ex parte for an order allowing Plaintiff to file his motion for summary judgment on or before February 8, 2007. This Court's current scheduling order states that dispositive motions shall be filed so as to be heard on March 1, 2007. Accordingly, pursuant to this Court's local rules, the motion is due today, February 1, 2007.

This ex parte motion is based upon the fact that counsel for plaintiff has recently lost contact with Plaintiff, probably due to the Lummus sailing back to Saipan. Plaintiff was scheduled to contact

1 this office on Tuesday for final review of certain documents, well after such documents had been  
2 provided to him, but communication can be difficult while on the ship.

3 Counsel for Plaintiff, Bruce Berline, contacted David Ledger, counsel for defendants, and Mr.  
4 Ledger stated that he has no objection to this ex parte request.

5 This is Plaintiff's first such request for an extension of time in this matter. If granted, it will not  
6 unduly interfere with this case's other scheduled matters as the hearing for the motions for summary  
7 judgment has been moved from March 1, 2007 to March 15, 2007, at 10:00 a.m. Thus, even with the  
8 new filing deadline, the new hearing date for the summary judgment will allow the parties to oppose and  
9 reply to the motion in a timely matter in accordance with the local rules.

10 Dated this 1<sup>st</sup> day of February, 2007.

11  
12 /s/ Bruce Berline  
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